



TO: Amusement/Entertainment Applicant

FROM: Delta Charter Township, Clerk's Office

RE: Amusement & Entertainment Application Procedure

Delta Township would like to say thanks for considering Delta as the community in which to conduct your amusement/entertainment. We wish you success in your application process. Attached is a copy of the current Delta Township Ordinance, Chapter 3 Amusements and Entertainment, Article IV, Entertainments and Performances, to guide you in the application procedure.

The attached application must be filled out entirely before returned for processing, a minimum of thirty, (30) days, prior to your event. The Township Board of Delta Charter Township must approve this license. The Township Board meetings are scheduled every first and third Monday of each month.

For electrical inspections, or sign permits contact the Building Department at (517)323-8530, for Fire Safety or tent inspections contact the Fire Department at (517)321-6622.

Carefully review the attached Amusements and Entertainments Ordinance and complete the application. Questions may be directed to the township clerk at (517)323-8500 for further information.

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APPLICATION FOR A ENTERTAINMENT AND PERFORMANCE LICENSE

The undersigned hereby applies for a license to sponsor, operate, exhibit, perform or cause to be operated, exhibited or performed any public amusement, entertainment, bingo game, exhibition, circus, carnival, sporting event or religious service under canvas or in the open air, within the Charter Township of Delta, Michigan. This listing is illustrative only and is not meant to be all inclusive.

GENERAL INFORMATION:

FULL LEGAL NAME OF APPLICANT:_____

ADDRESS OF APPLICANT:_____

APPLICANT PHONE NUMBER:_____

APPLICANT(S) DATE OF BIRTH:_____

FULL LEGAL NAME OF OWNER(S):_____

ADDRESS OF OWNER(S):_____

OWNER(S) PHONE NUMBER:_____

OWNER(S) DATE OF BIRTH:_____

FULL LEGAL NAME OF OPERATOR(S):_____

ADDRESS OF OPERATOR:_____

OPERATOR(S) PHONE NUMBER:_____

OPERATOR(S) DATE OF BIRTH:_____

FULL LEGAL NAME OF SPONSOR(S):_____

ADDRESS OF SPONSOR(S):_____

SPONSOR(S) PHONE NUMBER:_____

EVENT INFORMATION:

LOCATION OF PROPOSED EVENT:_____

DATES OF PROPOSED EVENT:_____

PROPOSED HOURS OF OPERATION:_____

CHARGES FOR ADMISSION:_____

IF NO ADMISSION CHARGE, OTHER MANNER(S) IN WHICH MONEY OR OTHER
CONSIDERATION IS RECEIVED:

BRIEF DESCRIPTION OF PROPOSED TYPE OF ACTIVITY(S) INCLUDING TIMES:

BRIEF DESCRIPTION OF APPLICANT AND OPERATOR(S) EXPERIENCE WITH
PROPOSED EVENT AND ACTIVITY(S):

BRIEF STATEMENT WHETHER APPLICANT HAS APPLIED FOR A SIMILAR LICENSE
OTHER THAN DESCRIBED IN THIS APPLICATION, AND THE DISPOSITION OF
SUCH APPLICATION:

INSURANCE INFORMATION:

INSURED

BY:_____

\$500,000.00, in the event of injury or death of any one person, and for the
payment up to \$1,000,000.00 in the event of injury or death of more than one person, and
for the payment up to \$500,000.00, for property damage. The Charter Township of Delta
must appear as an additional insured and receive a 30-day cancellation notice.

POLICY#:_____ DATE ISSUED:_____ EXPIRATION DATE:_____

BONDED

BY:_____

(In the Penal Sum of \$10,000.)

BOND#:_____ DATE ISSUED:_____ DATE EXPIRES:_____

REQUIREMENTS:

Applicant understands full compliance with any and all Township Ordinances is required, including but not limited to, the:

Delta Township Fire Code,
Delta Township Zoning Ordinance,
Delta Township Building Code,
Delta Township Utility Ordinance,
Delta Township Traffic Ordinance,
Delta Township Sign Ordinance,
Delta Township Nuisance Ordinance,
Delta Township Noise Ordinance,
Delta Township Offenses Ordinance.

Applicant understands full compliance with any and all Township Ordinances, County Ordinances, State Statutes, and Federal Statutes is required.

IMPORTANT: applicant is required to provide, along with this application, items necessary to show how and where the license (if granted) is to be utilized, which shall describe adequate off-street parking, lighting, refuse disposal facilities, water facilities, restroom facilities, medical facilities, seating, trespass containment, and adequate plans for screening and noise control. This listing is illustrative only, and is not meant to be all inclusive.

Applicant understands all required fees, utility bills, and taxes must be paid in full before a license will be granted. Applicant is required to provide written permission from the property owner, of the property upon which the event or activity is intended to take place. A fee for each license shall be in an amount determined by resolution of the Township Board.

Such other information as deemed reasonably necessary and proper, for the full protection of the Charter Township, as well as the applicant in order to effectuate the purposes of the Ordinance and determine whether the terms of the Ordinance and State Statutes are being complied with, may be required to be provided by applicant.

Should your request for a license be denied by the Township Clerk, applicant may file an Appeal to the Township Board. To file an appeal, the form is available from the Township Clerk, a fee is required and set by resolution of the Township Board and applicant has five days from the date of denial in which to file such appeal.

“I, the undersigned, hereby acknowledge my understanding of this application and its requirements. I have received and read a copy of the Township Ordinance, and understand and will comply with the regulations contained within the Township Ordinance. Further, I understand that a false statement on this application may result in either a denial of this application or subsequent revocation if this license is granted.”

APPLICANT SIGNATURE:_____

DATE:_____

Official use only below this line.

Reviewed and approved by the following: Date Initials

Delta Township Clerk's Office: _____

Eaton County Sheriff Department: _____

Delta Township Fire Department: _____

Delta Township Planning Department: _____

Delta Township Building Department: _____

Delta Township Treasurer: _____

Fee Established: _____

Delta Township Board of Trustees: _____

Application Fee Paid (receipt no.): _____

License Fee Paid (receipt no.): _____

Date of Acceptance/Denial: _____

ARTICLE IV. ENTERTAINMENTS AND PERFORMANCES

Sec. 3-101. License required.

It shall be unlawful for any person to sponsor, operate, exhibit, perform or cause to be operated, exhibited or performed any public amusement, entertainment, bingo game, exhibition, circus, carnival, sporting event or religious service under canvas or in the open air, within the charter township without first obtaining a license therefor from the township clerk. The listing is illustrative only and is not meant to be all inclusive. The township clerk is hereby authorized to grant such license for the aforesaid purposes subject to the approvals and requirements contained within the ordinances, code, laws, and regulations of Delta Charter Township, the county of Eaton and the state of Michigan.

(Ord. No. 243, § 3.00, 10-21-74; Ord. No. 93-8, § 5, 10-4-93)

Sec. 3-102. Exceptions to license requirement.

(a) No license shall be required under this article where the sponsor, operator, exhibitor or performer of such show is the state or a political subdivision thereof.

(b) This article shall not require a license for any exhibition, entertainment, amusement or performance conducted by established businesses in the charter township for the purpose of stimulating business or sales.

(Ord. No. 123, § 1, 7-6-71; Ord. No. 243, § 3.00, 10-21-74)

Sec. 3-103. Zoning provision not affected.

This article does not repeal or suspend the provisions of section six of the zoning ordinance of the charter township relating to temporary use permits or circuses, carnivals, or activities where rides, concessions, and amusements are provided in the nature of a circus or carnival.

(Ord. No. 123, § 1, 7-6-71; Ord. No. 243, § 3.00, 10-21-74)

Sec. 3-104. Application for license.

(a) Applications for a license to operate any activity regulated by this article shall be made by the owner, manager, sponsor or operator thereof on forms to be furnished by the township clerk and shall be sworn to and filed with the township clerk not less than 30 days prior to the date upon which the license applied for shall become effective; provided, however, that the township clerk may, upon good cause shown, allow the filing of an application less than 30 days prior to the effective date.

(b) The application shall contain the following information:

(1) The name and address of the person applying for the permit; the full name and address of the owner, operator and sponsor of such show.

(2) The proposed location and dates of operation of such show, or a statement that operation will be on a continuous basis and the hours of such operation.

(3) A brief description of the type of activity.

(4) A statement setting forth all admission charges.

(5) Such other information as the township clerk shall deem reasonably necessary and proper for the full protection of the charter township, as well as the applicant in order to effectuate the purposes of this article and determine whether the terms of this article and state statutes have been complied with.

(Ord. No. 243, § 4.00, 10-21-74)

Sec. 3-105. License fees.

(a) A fee for each license required by this article shall be in an amount determined by the township board, not less than \$5.00 and not more than \$200.00, except and in all cases where a circus and/or a carnival, or activity where rides, concessions and amusements are provided and are in the nature of a circus or carnival, the fee for the license shall be \$200.00 per day. The fee, as determined by the township board, must be paid prior to the time that the license is issued.

(b) In the case of the circus and/or a carnival or activity where rides, concessions and amusements are provided that are in the nature of a circus or carnival operated or sponsored by a person who is classified as a nonprofit organization for federal internal revenue purposes, the township board may designate such fees for the license as it deems necessary in an amount less than the sum of \$200.00, but not less than \$5.00 per day. (Ord. No. 243, § 5.00, 10-21-74)

Sec. 3-106. Insurance and bond prerequisite to license issuance.

(a) Prior to issuance by the township clerk of any license under this article, each person applying for a license shall file with the township clerk a public liability and property damage insurance policy, insuring such persons and the charter township against any liability imposed on such person and/or the charter township arising out of the operation of such show in the charter township by such persons. Such policy shall provide for payment up to \$300,000.00 in the event of injury or death of any one person, and for the payment up to \$500,000.00 in the event of injury or death of more than one person, and for the payment up to \$100,000.00 for property damage. Such policy shall bear an endorsement to the effect that the insurance company shall notify the township clerk at least ten days prior to the expiration of such policy, whether by way of cancellation or limitation of term.

(b) Prior to issuance by the township clerk of any license under this article, each person applying for a license shall file with the township clerk a bond in the penal sum of \$10,000.00 indemnifying the charter township against any and all violations of any ordinance, regulation or rule of the charter township, to indemnify the charter township for any and all damage to public property of any kind or nature, and conditioned that such licensee will pay to the charter township all fines or penalties which may be assessed against the licensee for breach of any ordinance relating to the show carried on by such person and conditioned further that such licensee will fulfill any obligation to a resident of the state, which obligation is incurred as a result of the operation of such show by the licensee within the charter township.

(c) It shall be unlawful for any person required to have a license under this article, to sponsor, operate, exhibit, perform or cause to be operated, exhibited or performed such show within the township unless a policy of insurance and a bond as required by this section are in force at the time of such operation, exhibition or performance.

(Ord. No. 123, § 4, 7-6-71; Ord. No. 243, § 6.00, 10-21-74)

Sec. 3-107. License approval, issuance.

Prior to issuance of any license under this article, the township board shall approve the license application, insurance policy and bond required by this article and establish the fee. Upon approval by the township board and when the township clerk is satisfied that the licensee has complied with all provisions of this article and state statutes, the township clerk shall immediately issue the license provided for in this article. The township board may require as a condition to the issuance of the license approval by the chief of the fire department, by the county sheriff's department and by the township treasurer.

(Ord. No. 243, § 7.00, 10-21-74; Ord. No. 93-8, § 6, 10-4-93)

Sec. 3-108. Operational requirements.

After issuance of a license under this article, the licensee shall meet the following requirements:

- (1) The insurance and bond required shall continue in full force and effect until expiration or termination of the license.
 - (2) Licensee shall permit township, county and state officials to enter upon the licensed premises at all reasonable times to determine compliance with the requirements of this article and other applicable township, county and state ordinances and statutes.
 - (3) Licensee shall not knowingly permit violations of any township ordinance, county ordinance or state statute by any of his patrons.
 - (4) Licensee shall provide off-street parking facilities sufficient to accommodate all persons to be admitted to his place of business.
 - (5) Licensee shall not admit to his premises any person who is then under the influence of intoxicating beverages or of drugs, nor shall he knowingly permit the possession, sale or consumption of intoxicating beverages or controlled substances on his business premises.
 - (6) Licensee shall provide sufficient fences or barriers or shall so patrol the boundaries of his business premises as to efficiently prevent his patrons from directly trespassing on neighboring premises.
 - (7) Licensee shall so conduct his business that it shall not give rise to a nuisance by reason of noise, vibration, smoke, odor or dust.
 - (8) Licensee shall limit his business activities to the hours specified in his license.
 - (9) Licensee shall post a copy of this article and a copy of his license in his place of business in a location where they can be read easily by his patrons.
 - (10) Licensee shall pay all required fees, utility bills, and taxes by the due date(s).
- (Ord. No. 123, § 5, 7-6-71; Ord. No. 93-8, § 7, 10-4-93)

Sec. 3-109. Penalty.

- (a) It shall be unlawful for any licensee to knowingly advertise, produce, operate, exhibit or cause to be advertised, produced, operated or exhibited, in the township, any activity regulated in this article without first having obtained a license.
 - (b) Every person found guilty of violating any of the provisions of this article shall, upon conviction, be fined as prescribed in section 1-11 of this Code.
- (Ord. No. 243, § 8.00, 10-21-74)